

# HOUSE . . . . . No. 2737

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By Ms. Kaprielian of Watertown, petition of Rachel Kaprielian and Louis L. Kafka for legislation to establish a board of denturistry for the licensing of denturists. Public Health.

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## The Commonwealth of Massachusetts

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In the Year Two Thousand and Five.

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### AN ACT TO ALLOW REGULATION AND LICENSING OF DENTURISTS.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1                   SUBCHAPTER 1000 DENTURISTS.

2       Section 100B. Definitions.

3       As used in this subchapter, unless the context otherwise indi-  
4 cates, the following words and phrases shall have the following  
5 meanings.

6       1. Board. "Board" means the Board of Denturistry.

7       2. Denturist. "Denturist" means a person engaged in the prac-  
8 tice of Denturistry.

9       3. Practice of Denturistry. "Practice of Denturistry" means:

10      A. Recognizing oral conditions pertaining to denture care;  
11 referring patients for various professional, medical, and dental  
12 services, examining, taking and evaluating radiographs and evalu-  
13 ating and treating temporomandibular disfunction relative to den-  
14 ture care.

15      B. The taking of denture impressions and bite registration for  
16 the purpose of or with die view to designing, making, producing,  
17 reproducing, constructing, finishing, supplying, altering or  
18 repairing a complete or partial upper or lower prosthetic denture,  
19 or any combination, to be fitted to an arch or arches;

20      C. The fitting of a complete and partial upper or lower pros-  
21 thetic denture, or both, to an arch or arches, including the  
22 designing, making, producing, reproducing, constructing, fin-  
23 ishing, supplying, altering and repairing of dentures; and

24 D. The procedures incidental to the procedures specified in  
25 paragraphs A and B, as defined by the board.

26 Section 100C. Rules.

27 1. Rules required within one year. The board shall adopt rules  
28 necessary to implement this subchapter. Rules adopted may per-  
29 tain, but are not limited to, continuing education and record reten-  
30 tion requirements, and the specification of procedures incidental  
31 to the practice of denturistry.

32 2. Limited scope denturist license. The board shall issue a lim-  
33 ited scope license to denturists to engage in providing the public  
34 with complete dentures, denture relines and denture repairs who  
35 demonstrate to the satisfaction of the board:

36 A. A minimum of 5 years in some combination of training and  
37 experience in dental mechanics or technology or as a dental labo-  
38 ratory technician.

39 B. Enrolls in and continues to be an active student and main-  
40 tains a passing grade in a denturist curriculum that is approved by  
41 the American Denturist Society Council of Denturistry Education.

42 C. Has completed one post secondary course in head and neck  
43 anatomy and physiology, one post secondary course in oral  
44 pathology, one post secondary course in United States Center for  
45 Disease Control guidelines for disinfection sterilization, one post  
46 secondary course in clinical removable prosthodontics, one post  
47 secondary course in temporomandibular joint disorders, one post  
48 secondary course in principles of dental radiology, and one post  
49 secondary course in ethics and jurisprudence.

50 D. Has successfully completed certification for Cardio Pul-  
51 monary Resuscitation equivalent to the standards of the American  
52 Heart Association.

53 E. Produces satisfactory documented verification of having  
54 served a minimum of six months performing clinical prosthetic  
55 duties under the general supervision of a licensed/certified den-  
56 turist or a licensed dentist.

57 F. And has successfully passed the limited scope denturistry  
58 examination (Part 1) or a comparable board approved written and  
59 practical examination.

60 G. Licensees of this section are prohibited from providing par-  
61 tial dentures and radiographs to the public until successfully

62 meeting the requirements for (Part 2) of the written and clinical  
63 examination to become a full scope denturist.

64 H. All limited scope denturist licenses will expire on January 1,  
65 2009.

66 3. Full scope denturist license. The board shall issue a license  
67 to denturists to engage in providing the public with any of the  
68 services included in section 100 — A, B, C and D who demon-  
69 strate to the satisfaction of the board:

70 A. A minimum of 5 years, in some combination of training and  
71 experience in dental mechanics or technology or as a dental labo-  
72 ratory technician.

73 B. Who graduates and holds a degree from a denturist program  
74 that is approved by the American Denturist Society Council of  
75 Denturistry Education.

76 C. Has successfully completed certification for Cardio Pul-  
77 monary Resuscitation equivalent to the standards of the American  
78 Heart Association.

79 D. Produces satisfactory documented verification of having  
80 served a minimum of six months performing clinical prosthetic  
81 duties under the general supervision of a licensed/certified den-  
82 turist or a licensed dentist.

83 F. Has successfully passed the full scope denturist examination  
84 (Part 2) or a comparable board approved written and practical  
85 examination.

86 Section 100D. Examinations.

87 1. Authority. The board is authorized to appoint a qualified sub-  
88 committee or entity to prepare and give written and clinical exam-  
89 inations in denturistry for the purpose of licensing denturists.

90 1-A. Examination Part I content: A limited scope denturist  
91 examination must consist of a written examination concerning, but  
92 not limited to, dental materials, denture technology, United States  
93 Department of Health and Human Services Centers for Disease  
94 Control guidelines, physiology and head and neck anatomy, oral  
95 pathology, radiology, ethics and jurisprudence.

96 1-B. Examination Part 2 content: A full scope denturist exami-  
97 nation must consist of a written portion covering dental radiology,  
98 partial denture design, clinical partial denture evaluation and pro-  
99 cedures, and related subject matter pertaining to denturistry and the  
100 practice of clinical partial denture delivery.

101 1-C. Examination exemptions: Denturists licensed in other  
102 states in the U.S. or Canada or who have passed the National  
103 Board of Medical Denturistry examination are exempt from having  
104 to take the written examination in subsection 1-A; denturists who  
105 have passed the National Board of Medical Denturistry examina-  
106 tion are exempted from having to take written examination in sub-  
107 section 1-B.

108 2. Eligibility for limited scope denturist examination (Part 1):  
109 Eligibility for taking the examination pursuant to subsection 1 is  
110 determined as follows:

111 A. A person is eligible to take the limited scope denturistry  
112 examination (Part 1) that includes providing complete dentures to  
113 the public if that person:

114 (1) Is a high school graduate or has obtained high school equiv-  
115 alency.

116 (2) Has completed and can demonstrate to the satisfaction of  
117 the board a minimum of 5 years in some combination of training  
118 and experience in denture mechanics or technology or as a denture  
119 laboratory technician or has successfully earned a diploma from a  
120 reputable two year dental laboratory educational program.

121 (3) Enrolls in and continues to be an active student and main-  
122 tains a passing grade in a denturist curriculum that is approved by  
123 the American Denturist Society Council of Denturistry Education.

124 (4) Has completed one post secondary course in head and neck  
125 anatomy and physiology, one post secondary course in oral  
126 pathology, one post secondary course in United States Center for  
127 Disease Control guidelines for disinfection sterilization, one post  
128 secondary course in clinical removable prosthodontics, one post  
129 secondary course in temporomandibular joint disorders, one post  
130 secondary course in principles of radiology, and one post sec-  
131 ondary course in ethics and jurisprudence.

132 (5) Produces satisfactory documented verification of having  
133 served a minimum of six months performing clinical prosthetic  
134 duties under the general supervision of a licensed/certified den-  
135 turist or a licensed dentist.

136 (6) Has successfully completed certification for Cardio Pul-  
137 monary Resuscitation equivalent to the standards of the American  
138 Heart Association.

139 2-A. Eligibility for full scope denturist examination (Part 2):  
140 Eligibility for taking the examination pursuant to subsection 1 is  
141 determined as follows:

142 A. A person is eligible to take the full scope denturist exami-  
143 nation (Part 2) that includes providing partial dentures to the  
144 public if that person:

145 (1) Is a high school graduate or has obtained high school equiv-  
146 alency.

147 (2) Has completed and can demonstrate to the satisfaction of  
148 the board a minimum of 5 years in some combination of training  
149 and experience in denture mechanics or technology or as a denture  
150 laboratory technician or has successfully earned a diploma from a  
151 reputable two year dental laboratory educational program.

152 (3) Who graduates and holds a degree from a denturist program  
153 that is approved by the American Denturist Society Council of  
154 Denturist Education.

155 (4) Produces satisfactory documented verification of having  
156 served a minimum of six months performing clinical prosthetic  
157 duties under the general supervision of a licensed /certified den-  
158 turist or a licensed dentist.

159 (5) Has successfully completed certification for Cardio Pul-  
160 monary Resuscitation equivalent to the standards of the American  
161 Heart Association.

162 3. Application for examination; fee. An eligible person desiring  
163 to take an examination in order to become licensed as a limited  
164 scope denturist or a full scope denturist shall make a written appli-  
165 cation to the board to take either examination. An application fee,  
166 to be determined by the board, not to exceed \$1200, must accom-  
167 pany the application. In addition, an examination fee to be deter-  
168 mined by the board may not exceed the actual cost of the  
169 examination. The application fee includes the fee for the initial  
170 license and is nonrefundable.

171 4. Additional examinations; fees. An applicant failing to pass  
172 an examination is entitled to a reexamination upon payment of the  
173 examination fee set by the board. If an applicant has failed three  
174 examinations, the board may require the applicant to complete  
175 additional educational requirements prior to reexamination.

176 Section 100E Licenses; endorsement.

177 1. Authority. The board has the authority to issue licenses to  
178 qualified persons to practice dentistry pursuant to this sub-  
179 chapter.

180 2. License issued. The board shall issue a license for the prac-  
181 tice in this state to each person who has passed an examination  
182 under section 100-D. This license authorizes the licensee to prac-  
183 tice as a dentist in the state until the expiration date that appears  
184 on the license.

185 3. Renewal; renewal fee. After a license has been issued under  
186 subsection 2, and on or before January 1 of odd-numbered years, a  
187 dentist must pay to the board a license renewal fee of not more  
188 than \$400 to be determined by the board in order to renew the  
189 license and to continue to be authorized to practice as a dentist in the  
190 state or 1/2 the biennial licensure fee if application is made in an  
191 even-numbered year.

192 After the requirements for a license renewal, including any nec-  
193 essary continuing education, have been met, a renewal card of the  
194 dentist's license must be issued, which the dentist shall place  
195 beside or attach to the dentist's initial license. Dentists who  
196 have not paid as provided as of January 1 must be reinstated upon  
197 payment of fee, to be determined by the board, of not more than  
198 \$200 if paid by February 1. A license to practice is automatically  
199 suspended on February 1. A license to practice is automatically  
200 suspended on February 1 and may be reinstated, if approved by  
201 the board, on payment of a fee to be determined by the board of  
202 not more than \$400.

203 4. Endorsement. The board, at its discretion, without examina-  
204 tion, may issue a license to an applicant to practice as a dentist  
205 who furnishes proof satisfactory to the board that the dentist has  
206 been licensed to practice and who has actively practiced for a  
207 period of five years in another state or Canadian province after  
208 full compliance with the requirements of its dental laws, if the  
209 licensure requirements are, in all essentials, at least equivalent to  
210 those of this state. The board may require letters of reference  
211 about the dentist. Applicants for licensure by endorsement who  
212 meet the requirements of this section must be interviewed in  
213 person by the board, or members of the board, prior to being  
214 issued a license. Every license so given must state upon its face

215 that it was granted on the basis of endorsement. The fee for the  
216 license may not exceed \$400.

217 4-A. Duplicate license. A licensee must be issued a duplicate  
218 by the board for fee of \$70 upon the attestation of loss of the orig-  
219 inal.

220 5. Mental or physical examination. For the purposes of this sub-  
221 section, by the application for and acceptance of the license, a  
222 licensed denturist is deemed to have given consent to a mental or  
223 physical examination when directed by the board. The board may  
224 direct the examination whenever it determines a denturist may be  
225 suffering from a mental illness that may be interfering with the  
226 competent practice of Denturistry or from the use of intoxicants or  
227 drugs to the extent that they are preventing the denturist from  
228 practicing Denturistry competently and with safety to the patients.  
229 A denturist examined pursuant to an order of the board does not  
230 have the privilege to prevent the testimony of the examining indi-  
231 vidual. Failure to comply with an order of the board to submit to a  
232 mental or physical exam requires the Administrative Court to  
233 immediately order the license suspended until the denturist sub-  
234 mits to the examination.

235 Section 100 — El. Continuing education.

236 As a condition of a license renewal, a denturist shall submit  
237 evidence of successful completion of 36 hours of continuing edu-  
238 cation consisting of board-approved courses completed within the  
239 3 years preceding the application for renewal. The board shall  
240 proportionally reduce the continuing education hours required for  
241 denturists who have been licensed for less than a 3-year period  
242 upon the date of renewal.

243 Section 100 — E Persons and practices not affected.

244 Nothing in this subchapter may be construed to prohibit a duly  
245 qualified dental surgeon, dental laboratory or dental hygienist  
246 from performing work or services performed by a denturist  
247 licensed under this subchapter to the extent those persons are  
248 authorized to perform the same services under existing state law.

249 Nothing in this subchapter may be construed to prevent stu-  
250 dents of a dental college, university or school of dental hygiene  
251 from practicing dental hygiene under the supervision of their  
252 instructors.